

Part 183 Representatives of the Administrator

This edition replaces the existing loose-leaf
Part 183 and its changes.

This FAA publication of the basic Part 183, effective July 6, 1966,
incorporates Amendments 183-1 through 183-9 with preambles.

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of the Code of Federal Regulations.

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Bold brackets [] throughout the regulation indicate the most recent changed or added material for that particular subpart. The amendment number and effective date of new material appear in bold brackets at the end of each affected section.

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During the life of the recodification project, Chapter I of Title 14 may contain more than one part bearing the same number. To differentiate between the two, the recodified parts, such as the ones in this new subchapter, will be labeled "[New]". The label will of course be dropped at the completion of the project as all of the regulations will be new.

Subchapter K [New] was published as a notice of proposed rulemaking in the *Federal Register* on March 27, 1962 (27 FR 2803), and circulated as Draft Release 62-12. All comments received concurred with the substance of the proposal as published. Two comments received suggested changes in style or format or in the technical wording of certain sections in parts 183, 185, and 189 [New]. These comments were carefully considered and, where consistent with the style, format, and terminology of the recodification project, were adopted.

As proposed, this subchapter was labeled "J." It has since been determined that there is a need for an additional subchapter to contain rules governing air navigation facilities. To make room for the added subchapter, the administrative regulations have been redesignated as Subchapter K [New] and the parts renumbered.

No substantive change has been made in the subchapter, the purpose of the recodification project being simply to streamline and clarify present regulatory language and to delete obsolete or redundant provisions. The definitions, abbreviations and rules of construction contained in part 1 [New] published in the *Federal Register* on May 15, 1962 (27 FR 4587) apply to the new Subchapter K.

Interested persons have been afforded an opportunity to participate in the making of this regulation, and due consideration has been given to all relevant matter presented. The Agency appreciates the cooperative spirit in which the public's comments were submitted.

In consideration of the foregoing, effective June 30, 1962, Chapter I of Title 14 is amended by adding a Subchapter K [New] as set forth below, and Chapter III of Title 14 is amended by revoking parts 401, 414, 415, 418, and 612.

This amendment is made under the authority of sections 301(c), 305, 307(b), 313(a), and 314 of the Federal Aviation Act of 1958 (49 U.S.C. 1341(c), 1346, 1348(b), 1354(a), and 1355); and section 501 of the Act of August 31, 1951 (5 U.S.C. 140).

Amendment 183-1

Cross Reference Corrections in FAR Parts 21, 33, 37, 43, 61, 63, 91, 127, 133, 141, 145, 149, and 183

Adopted: June 28, 1966

Effective: July 6, 1966

(Published in 31 FR 9211, July 6, 1966)

These amendments update certain cross references in the Federal Aviation Regulations and make other miscellaneous corrections.

At the time of the recodification, it was necessary to include in the Federal Aviation Regulations cross references to the Civil Air Regulations or Special Civil Air Regulations where the referenced provision had not yet been recodified. These amendments update all these cross references in instances where no substantive change is involved. In some instances, the cross references as updated herein have been anticipated in compilations and reprints of the respective parts of the regulations.

For convenience, a table is utilized to state the changes that can be accomplished by a mere substitution of the proper cross reference.

Amendment 183-2

Medical Certificates Serving as Student Pilot

Certificates; Parental Consent Requirements

Adopted: December 29, 1966

Effective: May 1, 1967

(Published in 32 FR 46, January 5, 1967)

The purpose of these amendments to parts 61* and 183 of the Federal Aviation Regulations is to: (1) authorize the issuance of student pilot certificates (combined with medical certificates) by aviation medical examiners when examining applicants for medical certification who meet the eligibility requirements of § 61.61 as to age and ability to read, speak, and understand the English language; and (2) delete the requirements of § 61.61 pertaining to consent of the parent or guardian of an unmarried applicant under 21 years of age or the husband of a married female applicant under that age, and statement of membership of a minor applicant in an Armed Force of the United States or enrolled in its ROTC or other training program. These amendments were proposed in Notice No. 66-30 issued on July 28, 1966, and published in the *Federal Register* on August 3, 1966 (31 FR 10415).

Except for dissents evidently based upon misunderstanding of its purpose, the public comments concurred with the first change as a time- and money-saving convenience to applicants for student pilot certificates. One of these two dissents remarked that issuing a pilot certificate is a function and responsibility of the FAA. This comment apparently did not consider the fact that an aviation medical examiner is a representative of the Administrator designated under § 314(a) of the Federal Aviation Act of 1958. The other dissent asked whether there now would be "two classes" of third-class medical certificates. This commentator apparently did not realize that there would still be only one *class* of third-class (or other-class) medical certificate but that, as explained in the notice, there would be two alternate procedures, one of these providing a certificate serving the dual function of both student pilot and medical certification, and the other preserving the applicant's right to obtain separate medical and student pilot certification from different representatives of the Administrator. As stated in Notice No. 66-30, the latter would be necessary to accommodate situations where the applicant already has an airman certificate, such as a certificated air traffic control tower operator with a second-class medical certificate, who now desires to obtain a student pilot certificate. In this kind of situation, it should not be necessary for him to go to an aviation medical examiner to obtain the pilot certificate.

Some comments were concerned with the disposition of a combination certificate when the student pilot applies for a private pilot certificate, since under prior administrative procedure the student pilot certificate has been surrendered upon issue of a different pilot certificate. The Agency will meet this situation with appropriate administrative methods preserving the continuance of the issued medical certification.

The objectives stated in Notice 66-30 are now implemented by amending § 61.61(b) to state that student pilot certificates are issued by FAA inspectors, designated pilot examiners, and aviation medical examiners when requested by persons being examined by them for medical certification under part 67. However, it is provided that an aviation medical examiner may not issue a student pilot certificate if the applicant cannot read, speak, and understand the English language, since operating limitations then must be placed on the student pilot certificate that should be determined by another examiner. Section 183.21 also is amended to complete the delegation of authority to aviation medical examiners, and the

* Part 61 is published separately.

into the armed services, can exercise property rights, can marry, and are able to secure automobile driving licenses without parental consent.

Interested persons have been afforded an opportunity to participate in the making of these amendments, and due consideration has been given to all matter presented.

In consideration of the foregoing, parts 61 and 183 of the Federal Aviation Regulations are amended, effective May 1, 1967.

These amendments are issued under the authority of sections 313(a), 314(a), 601, and 602 of the Federal Aviation Act of 1958 (49 U.S.C. 1354, 1355, 1421, 1422).

Amendment 183-3

Designations of Aviation Medical Examiners

Adopted: January 22, 1968

Effective: January 27, 1968

(Published in 33 FR 1071, January 27, 1968)

The purpose of this amendment to part 183 of the Federal Aviation Regulations is to stagger the renewals of designations of Aviation Medical Examiners, all of which at present are due on or before January 1 of each year.

Before this amendment, § 183.15(a) has provided that designations of all Aviation Medical Examiners lapsed on or before January 1 of each year. It has been an undue administrative burden to reevaluate, almost simultaneously, the designations of the Aviation Medical Examiners, who now are nearly 6,900 in number.

Under § 183.15(b), renewals of designations of Flight Standards Designated Representatives occur on an annual, but not a calendar year, basis. Thus, the same administrative task exists as in the case of Aviation Medical Examiners but it does not require the same concentration of effort in a very short period of time.

This amendment retains the annual renewal feature of § 183.15(a), but provides that renewal of each designation will come up on its anniversary date, the day and month when the designation was first issued to the Aviation Medical Examiner. This will provide staggered renewals, spreading out the administrative workload over the year. It will not in any way jeopardize uniformity and effective control of the Aviation Medical Examiner program.

The renewal of designations for the calendar year 1968 has been accomplished by the issuance of 1968 identification cards. However, to adjust to the new system and afford uninterrupted authority to these representatives of the Administrator, soon after the effective date of this amendment the FAA expects to begin issuing new one-year designations on the anniversary dates of the first issuance of an identification card to each examiner. During the following 12-month period this will spread out the issuance of new identification cards fairly evenly over the calendar year. Those Aviation Medical Examiners who have not received new anniversary-date identification cards by January 1, 1969, will receive 1969 calendar-year cards for use pending receipt of anniversary-date cards under the new system.

Since this amendment is not a substantive rule, notice and public procedure thereon are not required and it may be made effective less than 30 days after publication.

In consideration of the foregoing, paragraph (a) of § 183.15 of the Federal Aviation Regulations is amended, effective January 27, 1968.

(Published in 34 FR 14124, September 6, 1969)

The purpose of this amendment of section 183.31 of the Federal Aviation Regulations is to permit designated manufacturing inspection representatives (DMIRs) to issue experimental certificates for production certificate holders. The amendment would also remove the DMIR's present delegation of authority to conduct station inspections.

This amendment is based on Notice of Proposed Rulemaking No. 68-34, published in the *Federal Register* on December 6, 1968, (33 FR 18200).

Several comments were received on the proposal contained in Notice No. 68-34. The comments unanimously were in accord with the proposal to permit DMIRs to issue experimental certificates for production certificate holders. However, two of the comments objected to removing the DMIR's authority for conducting station and conformity inspections.

One commentator objecting to withdrawing from DMIRs the authority to make station and conformity inspections, stated that the requirements for a DMIR are stringent enough to insure that most DMIRs are as well qualified as FAA personnel to perform these functions. The other commentator stated that deletion of this authority to DMIRs is inconsistent with past FAA policy of advocating greater industry use of designees and delegations, and that deletion of such authority, without numerous additional FAA inspectors to provide timely conformity inspections, would result in production delays.

For this reason, the conformity inspection function of the DMIR has been retained in the rule. However, the station inspection function of the DMIR has become obsolete, as this function has for many years been reserved for FAA personnel who have the responsibility to monitor quality assurance in the production of aircraft and aircraft parts. Therefore, this latter function has been deleted in the amendment.

Furthermore, there is a need to update certain terminology in section 183.31 that is inconsistent with that used in other portions of the airworthiness parts amended subsequent to the adoption of § 183.31(a). For example, § 183.31(a) provides for the issuance of airworthiness and export certificates "for aircraft, engines, propellers, and other type certificated products . . .". Type certificates have, for at least 10 years, been issued only to aircraft, engines, and propellers, and airworthiness certificates are issued only for aircraft. Airworthiness approvals, however, are issued for engines and propellers. For these reasons, the various kinds of certificates and approvals issued by a DMIR should be clarified by separating the various kinds of issuances for consistency with current terminology. Therefore, the amendment is updated to use terminology consistent with that used in other airworthiness rules dealing with the same kind of issuances.

The amendment as proposed in the NPRM included a provision that before an experimental certificate is issued by a DMIR, he shall obtain from the Administrator any limitations and conditions that the Administrator considers necessary for safety. As DMIRs are representatives of the Administrator and act within limits prescribed by and under the general supervision of the Administrator, a general provision to that effect has been included in the amendment in lieu of the provision that was in the proposed amendment.

In consideration of the foregoing, § 183.31 of the Federal Aviation Regulations is hereby amended, effective October 6, 1969.

This amendment is issued pursuant to the authority contained in sections 313(a), 314, 601, 603, 608 and 609 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1355, 1421, 1423, 1428 and 1429); and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

By Amendment No. 61-60 dated February 1, 1973 (38 FR 3156), the FAA adopted a substantial revision to part 61 which resulted in the renumbering of the sections in that part. Some of the affected sections are incorporated by reference in parts 91, 121, 141, and 183 of the FARs. Therefore, in order to make the references in those parts consistent with the revised part 61, these amendments are necessary.

Because of the extent of the changes necessary with respect to the part 61 references in part 135, those reference corrections are being processed in a separate rulemaking action.

Since these amendments are editorial in nature and impose no additional burden on any person, I find that notice and public procedure thereon are unnecessary.

In consideration of the foregoing, parts 91, 121, 141, and 183 of the Federal Aviation Regulations are amended effective November 1, 1973.

These amendments are made under the authority of section 313(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a)); and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Amendment 183-6

Designated Manufacturing Inspection Representatives

Adopted: December 26, 1979

Effective: January 28, 1980

(Published in 45 FR 1415, January 7, 1980)

SUMMARY: This amendment permits use of designated manufacturing inspection representatives to perform authorized functions for the manufacturer, or its supplier, at any location authorized by the Administrator. It is intended to meet the need for greater flexibility and efficiency in the manufacturing process.

FOR FURTHER INFORMATION CONTACT: Mr. Raymond E. Ramakis, Regulatory Projects Branch, AVS-24, Safety Regulations Staff, Associate Administrator for Aviation Standards, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone (202) 755-8716.

SUPPLEMENTARY INFORMATION:

Background

This amendment to part 183 of the Federal Aviation Regulations expands the use of designated manufacturing inspection representatives (DMIR). These representatives of the FAA are qualified private persons who have been delegated authority by the Administrator to issue certain certificates and to perform inspection functions for the FAA. Delegation of these functions to properly qualified private persons is contemplated and authorized by section 314 of the Federal Aviation Act of 1958 (49 U.S.C. 1355).

A manufacturer or its suppliers may recommend that any employee be designated a DMIR by the FAA. Only manufacturers with approved production inspection systems, parts manufacturing approvals, production certificates, or technical standard order authorizations, and suppliers of these manufacturers, may have DMIRs. The qualifications of each recommended employee are carefully reviewed by the FAA, and designations are made with limitations appropriate to the representative's training and knowledge.

DMIRs conduct inspections necessary to determine that production products and related parts conform to the approved type design and are in a condition for safe operation, and that prototype products and related parts submitted for FAA approval conform to design specifications. They issue original airworthiness certificates for aircraft, airworthiness approvals for engines, propellers, and product parts, export certificates of airworthiness, airworthiness approval tags, and special flight permits for export aircraft and related

A total of 6 public comments were received in response to the Notice. Three comments were in favor of the proposal. The remaining three favored it generally but expressed reservations about specific provisions.

Discussion of Comments

Several commenters strongly objected to proposed §183.31(b)(2) which would have expanded the authority of DMIRs to permit them to evaluate a manufacturer's quality control system to determine whether it complies with part 21 of the Federal Aviation Regulations and with the manufacturer's approved quality control procedure. The objections were based on: (1) the financial burden imposed on manufacturers having to hire a DMIR to replace FAA personnel; (2) the lack of credibility given to aircraft produced without FAA surveillance; (3) the increased vulnerability of manufacturers to product liability suits; and (4) the increased possibility of conflict of interest which would arise if, for example, a DMIR were to participate in an enforcement action against his or her employer.

Part 183 does not require manufacturers to use a DMIR. Also, there is no indication that the proposed §183.31(b)(2) would work an undue burden on manufacturers. However, the FAA recognizes the commenters' concern over the possibility of conflict of interest, lack of credibility, and product liability suits. These comments have highlighted the distinction between the functions currently performed by a DMIR and the proposed additional evaluation function. Under the current rule, it is unlikely that a DMIR would become involved in an enforcement action against the manufacturer. However, a DMIR's evaluation of a manufacturer's quality control system would most likely result in an enforcement action against the manufacturer were a DMIR to determine that the approved system was not being followed. Thus, whenever a DMIR would find the manufacturer's quality control system to be in noncompliance, the DMIR would be placed in a possible enforcement context. The FAA agrees with the concerns expressed in this area. It is essential that those involved in the inspection process not be placed in any situation which might affect their responsibility. This would be inconsistent with the interest of safety. Therefore, DMIRs will not be allowed to evaluate quality control systems and, as a result, proposed §183.31(b)(2) has not been adopted.

Three commenters suggested revising proposed §183.31(c) to allow a DMIR to perform inspection functions for the manufacturer's supplier, as well as for the manufacturer. The FAA agrees that such a revision will promote greater flexibility and efficiency in the manufacturing process. Accordingly, a DMIR will be allowed to perform his or her function for the manufacturer or its supplier at any location authorized by the FAA. Any necessary limitation on a representative's authority based on his or her knowledge and training will be specified at the time of designation by the FAA.

Editorial Changes

The NPRM proposed deletion of current §183.31(b) because the term "export ferry permits" is obsolete. Instead of these permits, special airworthiness certificates are now issued for exporting aircraft. Accordingly, a new §183.31(a)(4) has been added which allows a DMIR to issue "special flight permits to export aircraft."

An additional clarifying change has been made in §183.31 by adding the words "and are in a condition for safe operation" at the end of paragraph (a)(1). This change incorporates into this rule the standard required under §21.183 for the issuance of an airworthiness certificate.

Review of proposed §183.31(b)(1), which is substantially similar to 183.3(c) and (d) of the current rule, revealed a need to distinguish between prototype and production articles. Prototype products and related parts are inspected for conformity to design specifications, which are the basis upon which an applicant seeks design approval. Production products and related parts are inspected for conformity to the approved type design and to ensure that they are in a condition for safe operation. The rule as adopted distinguishes between these two inspection functions and the different standards applied to each.

Adoption of the Amendment

Accordingly, part 183 of the Federal Aviation Regulations (14 CFR 183.31) is amended, effective January 28, 1980, by revising § 183.31.

Sections 313(a), 314, 601, 603, 608, and 609 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1355, 1421, 1423, 1428, and 1429); and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

NOTE: The FAA has determined that this document involves a regulation which is not significant under Executive Order 12044, as implemented under Department of Transportation Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). A copy of the final evaluation prepared for this document is contained in the docket. A copy of it may be obtained by writing to the individual listed above as the information contact.

Amendment 183-7

Authorization for the Designation of Acoustical Engineering Representatives

Adopted: May 14, 1980

Effective: May 19, 1980

(Published in 45 FR 32668, May 19, 1980)

SUMMARY: This amendment authorizes the use of designated acoustical engineering representatives. Those representatives will perform specified functions leading to FAA noise level approvals for aircraft covered by noise certification rules. Those functions may be performed at any location whenever the designated representative determines the activity or data conforms to the requirements of the applicable regulations. Neither noise level certification nor approval of equivalencies to prescribed procedures and standards are within the scope of designated representatives' authority. This action meets the need to provide greater flexibility and efficiency in the noise certification process.

DATES: Comments must be received by July 18, 1980.

ADDRESSES: Submit comments on the rule in duplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attn: Rules Docket (AGC-204), Room 916, Docket No. 20339, 800 Independence Avenue SW., Washington, DC 20591. Or, deliver comments in duplicate to: FAA Rules Docket, Room 916, 800 Independence Avenue SW., Washington, DC. Comments may be examined in the Rules Docket Monday through Friday between 8:30 a.m. and 5:00 p.m.

FOR FURTHER INFORMATION CONTACT: Harvey H. Van Wyen, Technical Analysis Branch (AWS-110), Aircraft Engineering Division, Office of Airworthiness, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone (202) 426-8192.

SUPPLEMENTARY INFORMATION:

Request for Comments

Although this action is in the form of a final rule, which involves the management, procedures, and personnel of the FAA and, thus, need not be preceded by notice and public procedure, comments are invited on the rule. When the comment period ends, the FAA will use the comments received and any other available information to review the regulation. After the review, if changes are found to be appropriate, the FAA will consider adopting amendments to the regulations. Persons wishing to

applicable regulations, including methodologies and any equivalencies previously approved by the Director, Environment and Energy for that noise test series. Delegation of those functions is contemplated and authorized under § 314 of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1355).

The Chief of the Aircraft Engineering Division, Office of Airworthiness with the approval of the Director, Environment and Energy (or their designees), may select representatives from qualified persons who apply for designation. Application for designation is made by a letter accompanied by a statement of qualifications to properly perform those prescribed functions. Minimum qualification for designated representatives include eight years of appropriate and progressively responsible professional engineering experience, one year of which must be in association with, and recognized by, the FAA. For purposes of meeting the experience requirement, applicants should identify their experience with aircraft noise flight testing; acoustical instrumentation and measurement; data correction and analysis; noise certification regulations, documentation, and guidance materials. The qualifications of each applicant will be carefully reviewed by the FAA. Designations will include conditions and limitations appropriate to the representative's training, experience, and knowledge.

Functions of designated representatives are restricted to those for which the representative is qualified and found necessary to determine conformity with the noise certification test requirements for aircraft covered by the noise standards. For transport category large airplanes and turbojet-powered airplanes, the applicable rules are prescribed under FAR part 36, subpart B, appendixes A and B, and the test conditions prescribed in appendix C. For propeller-driven small airplanes, the rules are under FAR part 36, subpart F; and appendix F, parts A, B, and C. Those functions may include witnessing and approving aircraft noise tests and approving measured noise data and noise analyses and results. The designated representative will determine conformity to the applicable regulations, including noise evaluation methodology and any equivalencies approved by the Director, Environment and Energy. Those determinations lead to, but are not themselves, findings or approvals of compliance with the noise level requirements. Thus, a representative may not: (1) determine that a design change is not an "acoustical change;" (2) approve "equivalencies" to prescribed procedures or standards; or (3) certificate aircraft noise levels. The representative must make such reports as are required by the Administrator or the Administrator's designee.

As prescribed for other designated representatives under part 183, the acoustical engineering representatives will be issued a "Certificate of Designation" specifying the kind of designation for which the representative is qualified. The certificate will also contain the conditions and limitations that apply to the exercise of the designation. Unless sooner terminated, the certificate is effective for one year after it is issued; it may be renewed for additional one-year intervals at the Administrator's discretion.

Under this amendment, part 183 does not require aircraft manufacturers or other affected persons to use an acoustical engineering representative. In some cases, an applicant for noise certification or acoustical change approval may not have an employee who is qualified to be so designated. Or, the applicant may not wish to employ, or contract with, a qualified person to serve in that capacity. In those situations, qualified FAA personnel will continue to perform those functions.

Editorial Changes

This amendment to part 183 includes the editorial changes necessary to reflect the reorganization of the FAA's Flight Standards Service, under the Associate Administrator for Aviation Standards, as the Office of Flight Operations and the Office of Airworthiness. The title "Flight Standards" is retained, however, for FAA's regional and field organizations. Thus, under § 183.11, the Chief of the Aircraft Engineering Division (or the Chief's designee) may select Designated Engineering Representatives and the Chief of the Aircraft Manufacturing Division (or the Chief's designee) may select Designated Manufacturing Inspection Representatives. In addition, the words "the representative" are substituted for the word "he" in the various paragraphs under § 183.29, to clarify that the determination involved is made by the designated representative.

representatives. The election to use representatives is left entirely to the discretion of applicants. They may base their decisions on their particular circumstances. Thus, the expected impact of this amendment is so minimal that it does not warrant a full regulatory evaluation analysing the economic consequences of the regulation.

Effective Date

This amendment to the Federal Aviation Regulations involves matters relating to the agency's management, personnel, delegation of authority, and the process employed in fulfilling the FAA's statutory responsibilities. Accordingly, I find, under 5 U.S.C. 553, that notice and public procedure is unnecessary and that good cause exists for making it effective in less than 30 days after publication in the *Federal Register*.

By so doing, the benefits of the use of designated acoustical engineering representatives are made immediately available to those applicants for noise level approvals who elect to take advantage of the relief granted by the rule change. The FAA is currently implementing the necessary administrative matters to begin designating private individuals as acoustical engineering representatives as soon as practicable.

Adoption of the Amendment

Accordingly, part 183 of the Federal Aviation Regulations (14 CFR part 183) is amended, effective May 19, 1980.

Sections 313(a), 314, 601, 603, 608, and 609, Federal Aviation Act of 1958, as amended (49 U.S.C. 1354(a), 1355, 1421, 1428, and 1429); and section 6(c), Department of Transportation Act (49 U.S.C. 1655(c)).

NOTE: The FAA has determined that this document involves a regulation which is not significant under Executive Order 12044, as implemented by DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979), and, as discussed in the preamble, the expected impact of this amendment is so minimal that it does not warrant a full regulatory evaluation.

Amendment 183-8

Designated Airworthiness Representatives

Adopted: February 14, 1983

Effective: May 16, 1983

(Published in 48 FR 16176, April 14, 1983)

SUMMARY: This amendment to part 183 of the Federal Aviation Regulations (FAR) establishes the Designated Airworthiness Representative (DAR) as a new category of person appointed, under § 314 of the Federal Aviation Act of 1958 (FA Act), to act as a representative of the Administrator in performing certain certification functions under Title VI of the FA Act. The amendment expands the FAA designee program into new areas of delegation not previously provided in part 183. The expanded delegations are necessary to deal with the proliferation of requests for FAA examination, inspection, and testing services necessary to the issuance of certificates, and the issuance of certificates, under Title VI of the FA Act. This amendment will enable the FAA to use its fiscal and human resources in a more effective manner to meet safety objectives. In addition, the amendment will ease the burden of regulation on the public by expediting accomplishment of required demonstrations of compliance with applicable airworthiness standards and will reduce or eliminate delays in obtaining required certifications.

under Title VI of the FA Act, subject to regulations, supervision, and review as he may prescribe. These certificates include but are not limited to: type certificates; supplemental type certificates; production certificates; airworthiness certificates; export approvals and certificates; components certificates; airman certificates; air carrier/operator's certificates; and air agency certificates. Approved production inspection system authorizations and technical standard order authorizations also come within the purview of Title VI of the Act.

Private persons selected to act as designees are Representatives of the Administrator as described in part 183 of the Federal Aviation Regulations. This "designee system" has been used extensively within the FAA for over 20 years and has been highly successful. For example, there are now approximately 850 private persons with delegated authority to function as Designated Manufacturing Inspection Representatives (DMIRs) of the Administrator, augmenting a workforce of approximately 140 FAA manufacturing inspectors. DMIRs conduct numerous inspections and certifications on behalf of the FAA, enabling the FAA to meet its safety objectives with a minimal number of FAA manufacturing inspectors. A DMIR authorization, however, is limited to the facilities of the manufacturer by whom the DMIR is employed. Part 183 also provides for the appointment of Designated Aircraft Maintenance Inspectors (DAMIs) with a delegation of authority limited to only one function. The FAA, therefore, finds it necessary to expand the designee program to respond to the many requests for FAA examination, inspection, and testing services relating to certification functions that were not within the very limited scope of designations previously authorized by part 183. Viewed in the context of increased foreign and domestic demand for FAA inspection and certification services, part 183 did not provide the FAA with sufficient flexibility to fully utilize its statutory authority to delegate examination, inspection, and testing functions regarding issuing Title VI certificates.

On May 27, 1982, the FAA issued Notice of Proposed Rulemaking (NPRM) No. 82-9 (47 FR 27472; June 24, 1982). The Notice proposed to establish DARs as a new category of persons appointed under section 314 of the FA Act to serve as Representatives of the Administrator in performing certain certification functions.

Information collection requirements contained in this regulation (§ 183.11) have been approved by the Office of Management and Budget under the provisions of the Paperwork Reduction Act of 1980 (P.L. 96-511) and have been assigned OMB control number 2120-0035.

Discussion

Although no present need has been established to expand delegations in the area of engineering, as opposed to maintenance and manufacturing, this amendment provides for such expansion should the need arise. The expanded delegations go beyond those previously contained in part 183, yet remain within those authorized by section 314 of the FA Act, an approach which is consistent with the goal of reducing costs by streamlining the operations of the Government. This amendment also eases the burden of regulation on the aviation community by expediting the accomplishment of demonstrations of compliance required before the issuance of requested certifications. It will reduce delays commonly experienced by modifiers during supplemental type certification programs due to unavailability of FAA personnel, and thus expedite introducing new products. Delays encountered by persons attempting to return aircraft to service following maintenance/alterations also will be minimized.

By providing for the appointment of qualified persons as DARs to perform functions not previously authorized in part 183, the FAA can safely and efficiently increase the productivity of its staff in areas most affecting safety. Those areas in which DARs may be utilized in the immediate future include: issuing export approvals and export certificates of airworthiness; conducting conformity inspections for modification programs; issuing airworthiness certificates for aircraft; and certifying components produced under bilateral airworthiness agreements.

and republish the advisory circular to seek public comment each time it is proposed to add or delete an authorized function. Additional areas of delegation will be selected and authorized by the Director of Airworthiness based on recommendations from other FAA elements and the aviation community.

Consistent with other delegations already provided for in part 183, this amendment does not mandate the use of DARs. The election to use such representatives is left entirely to the discretion of the certificate applicant. Also, as with other designees, DARs may charge the applicant a fee for their services, and DARs will be subject to FAA surveillance with regard to monitoring and supervising their delegated tasks. It should be noted that the FAA will not reimburse any designee appointed under part 183 for any expense incurred by the designee in performing authorized functions.

Discussion of Comments

A total of 28 individuals and associations submitted comments on the proposal. Fourteen commenters concur with the proposal as written. Twelve commenters concur but include comments. Two commenters support the DAR program concept and intent but indicate that certain areas should be further defined or clarified. Most commenters fully support the proposed DAR amendment, indicating that it will fill a vital need and have positive economic advantages for both the public and the FAA, with no adverse impact on safety. Many of the comments submitted in response to the NPRM also contain recommendations or take issue with certain aspects of the proposed DAR advisory circular (AC). Accordingly, comments relating to both the NPRM and the proposed AC are discussed in the following paragraphs.

Qualification Criteria

Several commenters indicate a need to publish the qualification criteria to be employed by the FAA for selecting and appointing DARs. Accordingly, these criteria have been incorporated in an appendix of the DAR AC. This information will also be made readily available for review at FAA offices identified in the AC.

Several commenters submitted recommendations relative to basic qualification criteria for use in the DAR selection process. These recommendations have been taken into consideration in formulating the criteria.

Expansion or Clarification of Functions

A number of commenters request that the FAA consider further expansion of delegated functions beyond those addressed by the proposed AC. Several commenters also request clarification relative to those functions for which designations may be authorized.

The additional functions requested include: issuance or amendment of air agency, repairman, and school certificates; issuance of experimental certificates for amateur-built aircraft; revision of maintenance/operations specifications; field approval and return to service via FAA Form 337; determination of compliance with quality control systems; and issuance of special flight permits, provisional airworthiness certificates, and special flight authorizations.

After a thorough evaluation, it has been determined that authorized functions can be expanded to include the issuance of certain special flight permits and experimental certificates for amateur-built aircraft. However, a rapid expansion of delegated functions might severely curtail the FAA's ability to adequately monitor and control this program. Therefore, other than the two aforementioned functions, the FAA does not plan to expand DAR authorization to include any other functions until sufficient experience is gained to insure safety will not be derogated.

With respect to clarifying delegated functions authorized by the Director of Airworthiness, the AC is revised to identify more explicitly those functions, including the specific types of airworthiness certificates and export approvals which may be issued in the areas of maintenance and manufacturing.

It should be noted that DAR training will be limited to familiarization with FAA administrative procedures (for example, processing forms, etc.). Training in technical areas will not be provided since the FAA will require that a DAR applicant have the necessary technical expertise as a prerequisite to appointment.

Monitoring and Supervision

Three commenters ask how DAR activities will be monitored and supervised. Consistent with other designee categories, all DARs will be monitored and supervised as appropriate for the particular authorized functions. This would include: review of all official forms initiated by a DAR; random post-audit inspections of products which have been certificated by a DAR; accompanying a DAR during the inspection of a product to ensure that satisfactory techniques, methods, and procedures are being used; etc. This normally will be accomplished in accordance with FAA internal directives by the FAA office that issues the designation.

Procedural Aspects

Several commenters indicate a need to publish certain procedural aspects, including: scope of authority; training methods; FAA methods of auditing DAR activities; extent of DAR utilization; manner in which DARs will coordinate with FAA; various FAA forms to be used; and DAR supervision criteria.

Consistent with other categories of designees, DAR procedural matters will be distributed through FAA directives and provided to DARs, as appropriate, and also will be available for review by interested persons at any FAA Aircraft Certification or Flight Standards office.

Miscellaneous Comments

One commenter indicates that the proposed AC could be interpreted as requiring an applicant for DAR appointment to possess credentials in all three disciplines; that is, manufacturing, maintenance, and engineering. It is the FAA's intent that an applicant for DAR appointment would only be expected to have the experience and qualifications appropriate to the particular function for which authorization is sought. For example, if a person is seeking appointment as a DAR only for the purpose of conducting conformity inspections, that person's qualifications could be limited to those necessary to perform that particular task.

A commenter expresses concern that eligibility requirements may be such that only former FAA employees would be appointed as DARs. The commenter believes it is imperative to have a proper mix of former FAA employees and industry persons selected as DARs. The FAA expects a number of former FAA employees to apply for, and be issued, DAR authorizations. However, experience with other categories of designees, such as Designated Engineering Representatives (DER's), has shown that the majority of appointees are from industry. Many DMIRs and persons having FAA Inspection Authorizations are qualified to perform certain of the authorized DAR functions.

One commenter believes that a dual DMIR/DAR appointment would be advantageous since the DMIR authorization could be used for production purposes and the DAR authorization could be used for conformity certifications on components being produced under bilateral airworthiness agreements (a function which cannot be authorized for a DMIR under current regulations). The commenter, however, believes that such a dual appointment might create certain procedural problems. The FAA does, in fact, envision dual appointments such as DMIR/DAR, and DER/DAR, and does not anticipate procedural problems.

One commenter asks whether DARs will be appointed to meet FAA or industry needs or desires. While there will be no requirement to substantiate the need for DAR appointment as a prerequisite for appointment, the FAA fully expects that those persons appointed as DARs will be reasonably active in performing authorized functions. Lack of activity for an extended period of time would be cause for terminating a DAR appointment, since administrative costs associated with continuing and inactive

maximum fees which may be charged by designees, the FAA has not found it necessary to do so with other designee programs.

One commenter questions whether or not the FAA will provide liability insurance for DARs while acting on the FAA's behalf. As with other categories of designees, the FAA will not provide such insurance coverage.

Another commenter questions whether the DAR, the DAR's employer, or the FAA could be held liable for a DAR's actions. Like any other person, a DAR can be held legally accountable and liable for negligent conduct. Similarly, if a DAR has been negligent in his/her capacity as an employee, the employer may also be held accountable and potentially liable. The United States has consistently taken the position that Representatives of the Administrator are not employees of the FAA. Therefore, the FAA neither provides for their legal defense nor considers itself to be liable for a designee's negligent conduct.

Several comments were received concerning the limitations of authority for a DAR. The FAA will issue a certificate of authority to each DAR which will limit the DAR's authority to those functions for which the DAR has been determined qualified. Limitations also may be prescribed within each authorized function, where deemed appropriate. For example, a DAR may be authorized to issue standard airworthiness certificates limited to small aircraft only. Another example would be authority to issue export approvals limited to small rotorcraft only. Such limitations would be based on the qualifications and expertise of the particular DAR.

One commenter suggests that the proposal places heavy emphasis on manufacturing, but does not extend into the area of maintenance. Although the proposal may have been perceived in this manner, there was no intent to place greater emphasis on manufacturing over maintenance. In the interest of clarification, the AC will categorize the maintenance and manufacturing functions. The commenter also questions if the FAA plans to convert other FAA designee categories to DARs. The FAA has no such plan at this time.

One commenter recommends that no geographical limitations be placed on a DAR's activity. Generally, the FAA will limit a DAR to functions within the geographical area of the appointing FAA office to ensure monitoring and supervising capability. However, a DAR may perform those functions outside of this area when authorized by the appointing FAA office. If a DAR elects to relocate to another geographical area, the FAA monitoring and supervisory task will be transferred to the appropriate FAA office in that area.

Two commenters suggest that it would be in their own interest and that of the FAA to appoint DARs for service in Europe, Africa, and the Middle East. They argue that this would result in savings to the FAA, which is often pressed to carry out its overseas mission with limited manpower, and would preclude costly delays in obtaining required FAA certifications and approvals. The FAA does not object to appointing DARs in foreign countries, although the FAA might not have the necessary resources to monitor and supervise their activities. Accordingly, the FAA will consider appointing DAR's in a foreign country only when it is determined that there would be no undue burden on the FAA in administering the particular program. This would not prevent appointing DAR's to travel to foreign countries to issue airworthiness certificates/tags and export approvals on aircraft and related products.

A commenter questions whether a DAR employed by a particular individual would be on call to the FAA to respond to requests for services from other persons, facilities, or locations. The FAA does not require any DAR to be on call to provide services to any person or organization. The use of such representatives is at the discretion of the applicant seeking required certification or approval. One commenter asks whether a DAR's authority would be confined to activity on behalf of his/her employer, unless self-employed. Unlike a DMIR designation, the FAA would not confine a DAR's activity to the DAR's employer.

company, association and joint-stock association, such organizations may be considered for appointment as DARs. In these instances, the organization would be required to submit, along with its application for DAR authorization, the names, signatures, titles, and qualifications of those persons who would actually perform the authorized functions. Additionally, such an organization must also submit a procedure, acceptable to the FAA, which positively ensures that only such appropriately qualified persons perform authorized functions. It should be noted that the FAA will hold the organization responsible for complying with the conditions of the DAR appointment, with any necessary corrective actions to be directed at the organization.

Economic Evaluation

Benefits

Economic benefits of the DAR program will be derived from cost savings or improved efficiency. Applicants for certification services will benefit primarily through reductions in costly delays in obtaining certifications required to conduct aviation-oriented enterprises. FAA monitoring and supervision of the DAR program will ensure that the present level of aviation safety will not be diminished. In fact, safety will be enhanced because FAA personnel relieved from tasks accomplished by DARs will be able to redirect their efforts to other areas affecting safety.

Comments relating to economic benefits indicate that there would be industry cost savings from improved efficiency and reduction of delays in obtaining certifications. One commenter relates that he had to ferry a B-707 to the United States from Singapore to obtain an airworthiness certificate, an example of an expense which could be eliminated by this amendment. Other commenters cite difficulty in arranging FAA aircraft inspections in a timely manner, and expect that the rule will alleviate this problem. After the close of the comment period, the FAA received a letter from a U.S. aircraft modifier indicating that delays in delivering an aircraft located in West Germany, because of the FAA's inability to support a proposed modification program schedule, will create a financial burden of approximately \$2,500 per day to the aircraft owner. Such problems could also be alleviated by the rule.

Clearly the DAR program will be of benefit in reducing government costs by permitting certain FAA functions to be undertaken by qualified private persons or organizations.

Based on the high degree of interest and the urgent need for DARs, as expressed by commenters and the numerous inquiries received concerning DAR appointments, the FAA anticipates that the DAR program will be as well received by the aviation public and industry as have been other categories of designees.

Costs

No costs need be incurred by any applicant requiring FAA certification services since the use of a DAR to obtain FAA certification is optional. The FAA will continue to issue required certifications, in accordance with existing practice and policy. Therefore, an applicant determines, at his/her option, when the use of a DAR would prove economically advantageous. None of the comments from industry indicate that this rule will impose additional costs. Those that do address the economic factors indicate that cost savings will result.

There is no cost to the applicant for DAR authorization approval.

The cost of the DAR program to the FAA will be negligible. Although there are selection, training, and orientation costs associated with initiating the program, these are more than offset since DARs will perform tasks that would otherwise be performed by the FAA.

Regulatory Flexibility Determination

The FAA has determined this rule will not have a significant economic impact on a substantial number of small entities, even though it authorizes fees to be charged for certification services.

Sections 313(a), 314, 601, 603, 605, and 1102, Federal Aviation Act of 1958, as amended (49 U.S.C. 1354(a), 1355, 1421, 1423, 1425, and 1502); and section 6(c) Department of Transportation Act (49 U.S.C. 1655(c)).

NOTE: This rule establishes a procedure for designating persons to perform certain certification functions previously conducted only by FAA employees, thereby reducing or eliminating certain delays in obtaining required certifications. Further, this document involves a rulemaking action which: (1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under Department of Transportation Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparing a regulatory evaluation because the cost changes associated with the designation procedures are minimal. In addition, I certify that, under the criteria of the Regulatory Flexibility Act, the amendments will not have a significant economic impact on a substantial number of small entities since it will minimally ease the burden of regulatory compliance by reducing certain delays in obtaining required certifications.

Amendment 183-9

Organizational Changes and Delegations of Authority

Adopted: September 15, 1989

Effective: October 25, 1989

(Published in 54 FR 39288, September 25, 1989)

SUMMARY: This amendment adopts changes to office titles and certain terminology in the regulations that were affected by a recent agencywide reorganization. These changes are being made to reflect delegations of authority that were changed, as well as offices that were renamed or abolished and replaced with new office designations. These changes are necessary to make the regulations consistent with the current agency structure.

FOR FURTHER INFORMATION CONTACT: Jean Casciano, Office of Rulemaking (ARM-1), Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone (202) 267-9683.

SUPPLEMENTARY INFORMATION:

Background

On July 1, 1988, the FAA underwent a far-reaching reorganization that affected both headquarters and regional offices. The most significant change is that certain Regional Divisions and Offices, which formerly reported to the Regional Director, are now under "straight line" authority, meaning that these units within each Regional Office report to the appropriate Associate Administrator (or Chief Counsel) in charge of the function performed by that unit.

Within part 11 of the Federal Aviation Regulations (FAR), various elements of the FAA have been delegated rulemaking authority by the Administrator. These delegations need to be updated. In addition, throughout the Federal Aviation Regulations references are made to offices that have been renamed or are no longer in existence as a result of reorganization.

Title 14 of the Code of Federal Regulations must therefore be amended to reflect the reorganizations and changes that have taken place.

representative within the FAA, may select Aviation Medical Examiners from qualified physicians who apply. In addition, the Federal Air Surgeon may designate qualified forensic pathologists to assist in the medical investigation of aircraft accidents.

(b) Any local Flight Standards Inspector may select a pilot examiner, technical personnel examiner, or a designated aircraft maintenance inspector whenever he determines there is a need for one.

(c)(1) The Manager, Aircraft Certification Office, or the Manager's designee, may select Designated Engineering Representatives from qualified persons who apply by a letter accompanied by a "Statement of Qualifications of Designated Engineering Representative."

(2) The Manager, Aircraft Certification Directorate, or the Manager's designee, may select Designated Manufacturing Inspection Representatives from qualified persons who apply by a letter accompanied by a "Statement of Qualifications of Designated Manufacturing Inspection Representative."

(d) The Associate Administrator for Air Traffic, may select Air Traffic Control Tower Operator Examiners.

(e) The Director, Aircraft Certification Service, or the Director's designee, may select Designated Airworthiness Representatives from qualified persons who apply by a letter accompanied by a "Statement of Qualifications of Designated Airworthiness Representative."

(Amdt. 183-7, Eff. 5/19/80); (Amdt. 183-8, Eff. 5/16/83); (Amdt. 183-9, Eff. 10/25/89)

§ 183.13 Certification.

(a) A "Certificate of Designation" and an appropriate Identification Card is issued to each forensic pathologist designated under § 183.11(a).

(b) A "Certification of Authority" specifying the kinds of designation for which the person concerned is qualified and stating an expiration date is issued to each Flight Standards Designated Representative, along with a "Certificate of Designation" for dis-

(c) A "Certificate of Authority", stating the specific functions which the person concerned is authorized to perform and stating an expiration date, is issued to each Designated Airworthiness Representative, along with a "Certificate of Designation" for display purposes.

(Amdt. 183-8, Eff. 5/16/83)

§ 183.15 Duration of certificates.

(a) Unless sooner terminated under paragraph (d) of this section, a designation as an Aviation Medical Examination is effective for 1 year after the date it is issued, and may be renewed for additional periods of 1 year in the Federal Air Surgeon's discretion. A renewal is effected by a letter and issuance of a new identification card specifying the renewal period.

(b) Unless sooner terminated under paragraph (d) of this section, a designation as a Flight Standards and Aircraft Certification Service Designated Representative is effective for one year after the date it is issued and may be renewed for additional periods of one year in the Administrator's discretion.

(c) Unless sooner terminated under paragraph (d) of this section, a designation as a Designated Airworthiness Representative is effective until the expiration date shown on the Certificate of Authority.

(d) A designation made under this subpart terminates—

(1) Upon the written request of the representative;

(2) Upon the written request of the employer in any case in which the recommendation of the employer is required for the designation;

(3) Upon the representative being separated from the employment of the employer who recommended him for certification;

(4) Upon a finding by the Administrator that the representative has not properly performed his duties under the designation;

(a) Accept applications for physical examinations necessary for issuing medical certificates under part 67 of this chapter;

(b) Under the general supervision of the Federal Air Surgeon or the appropriate senior regional flight surgeon, conduct those physical examinations;

(c) Issue or deny medical certificates in accordance with part 67 of this chapter, subject to reconsideration by the Federal Air Surgeon or his authorized representatives within the FAA;

(d) Issue student pilot certificates as specified in § 61.85 of this chapter; and

(e) As requested, participate in investigating aircraft accidents.

(Amdt. 183-1, Eff. 7/6/66); (Amdt. 183-2, Eff. 5/1/67); (Amdt. 183-5, Eff. 11/1/73)

§ 183.23 Pilot examiners.

Any pilot examiner, instrument rating examiner, or airline transport pilot examiner may—

(a) As authorized in his designation, accept applications for flight tests necessary for issuing pilot certificates and ratings under this chapter;

(b) Under the general supervision of the appropriate local Flight Standards Inspector, conduct those tests; and

(c) In the discretion of the appropriate local Flight Standards Inspector, issue temporary pilot certificates and ratings to qualified applicants.

§ 183.25 Technical personnel examiners.

(a) A designated mechanic examiner (DME) (airframe and power plant) may—

(1) Accept applications for, and conduct, mechanic, oral and practical tests necessary for issuing mechanic certificates under part 65 of this chapter; and

(2) In the discretion of the appropriate local Flight Standards Inspector, issue temporary mechanic certificates to qualified applicants.

(b) A designated parachute rigger examiner (DPRE) may—

rigger certificates under part 65 of this chapter, and

(2) In the discretion of the appropriate local Flight Standards Inspector, issue temporary parachute rigger certificates to qualified applicants.

(c) An air traffic control tower operator examiner may—

(1) Accept applications for, and conduct, written and practical tests necessary for issuing control tower operator certificates under part 65 of this chapter; and

(2) In the discretion of the Associate Administrator for Air Traffic issue temporary control tower operator certificates to qualified applicants.

(d) A designated flight engineer examiner (DFEE) may—

(1) Accept applications for, and conduct, oral and practical tests necessary for issuing flight engineer certificates under part 63 of this chapter; and

(2) In the discretion of the appropriate local Flight Standards Inspector, issue temporary flight engineer certificates to qualified applicants.

(e) A designated flight navigator examiner (DFNE) may—

(1) Accept applications for, and conduct, oral and practical tests necessary for issuing flight navigator certificates under part 63 of this chapter; and

(2) In the discretion of the appropriate local Flight Standards Inspector, issue temporary flight navigator certificates to qualified applicants.

(f) A designated aircraft dispatcher examiner (DADE) may—

(1) Accept applications for, and conduct, written and practical tests necessary for issuing aircraft dispatcher certificates under part 65 of this chapter; and

(2) In the discretion of the appropriate local Flight Standards Inspector, issue temporary air-

used by United States military flying clubs in foreign countries.

§ 183.29 Designated engineering representatives.

(a) A structural engineering representative may approve structural engineering information and other structural considerations within limits prescribed by and under the general supervision of the Administrator, whenever the representative determines that information and other structural considerations comply with the applicable regulations of this chapter.

(b) A power plant engineering representative may approve information relating to power plant installations within limitations prescribed by and under the general supervision of the Administrator whenever the representative determines that information complies with the applicable regulations of this chapter.

(c) A systems and equipment engineering representative may approve engineering information relating to equipment and systems, other than those of a structural, powerplant, or radio nature, within limits prescribed by and under the general supervision of the Administrator, whenever the representative determines that information complies with the applicable regulations of this chapter.

(d) A radio engineering representative may approve engineering information relating to the design and operating characteristics of radio equipment, within limits prescribed by and under the general supervision of the Administrator whenever the representative determines that information complies with the applicable regulations of this chapter.

(e) An engine engineering representative may approve engineering information relating to engine design, operation and service, within limits prescribed by and under the general supervision of the Administrator, whenever the representative determines that information complies with the applicable regulations of this chapter.

(f) A propeller engineering representative may approve engineering information relating to propeller design, operation, and maintenance, within limits

(h) A flight test pilot representative may make flight tests, and prepare and approve flight test information relating to compliance with the regulations of this chapter, within limits prescribed by and under the general supervision of the Administrator.

(i) An acoustical engineering representative may witness and approve aircraft noise certification tests and approve measured noise data and evaluated noise data analyses, within the limits prescribed by, and under the general supervision of, the Administrator, whenever the representative determines that the noise test, test data, and associated analyses are in conformity with the applicable regulations of this chapter. Those regulations include, where appropriate, the methodologies and any equivalencies previously approved by the Director of Environment and Energy, for that noise test series. No designated acoustical engineering representative may determine that a type design change is not an acoustical change, or approve equivalencies to prescribed noise procedures or standards.

(Amdt. 183-7, Eff. 5/19/80); (Amdt. 183-9, Eff. 10/25/89)

§ 183.31 Designated manufacturing inspection representatives.

A designated manufacturing inspection representative (DMIR) may, within limits prescribed by, and under the general supervision of, the Administrator, do the following:

(a) Issue—

(1) Original airworthiness certificates for aircraft and airworthiness approvals for engines, propellers, and product parts that conform to the approved design requirements and are in a condition for safe operation;

(2) Export certificates of airworthiness and airworthiness approval tags in accordance with subpart L of part 21 of this chapter;

(3) Experimental certificates for aircraft for which the manufacturer holds the type certificate and which have undergone changes to the type design requiring a flight test; and

for the manufacturer, or the manufacturer's supplier,
at any location authorized by the FAA.
(Amdt. 183-4, Eff. 10/6/69); (Amdt. 183-6, Eff.
1/28/80)

Director, Flight Standards Service, in the area of
maintenance, or as authorized by the Director, Air-
craft Certification Service, in the areas of manufac-
turing and engineering.

(b) Charge a fee for his or her services.

(c) Perform authorized functions at any author-
ized location.

(Amdt. 183-8, Eff. 5/16/83); (Amdt. 183-9, Eff.
10/25/89)

